IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 30927 of 2006(F)

PETITIONER:

K.MOHANAN,
PEON, CHERUVATHUR FARMERS SERVICE CO-OPERATIVE BANK LTD., P.O.CHERUVATHUR, KASARAGOD DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, KASARAGOD DISTRICT.

4. THE CHERUVATHUR FARMERS SERVICE CO-OPERATIVE BANK, REPRESENTED BY ITS SECRETARY, CHERUVATHUR FARMERS SERVICE CO-OPERATIVE BANK, KASARAGOD DISTRICT.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
GOVT. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE MANAGEMENT AND EMPLOYEES DTD. 24-10-84**
EXT.P2	**TRUE COPY OF THE REPRESENTATION DTD. 15-6-98 FILED BEFORE R3**
EXT.P3	**TRUE COPY OF THE JUDGMENT IN O.P.NO.13359/98**
EXT.P4	**TRUE COPY OF THE JUDGMENT IN O.P.NO.18009/98**
EXT.P5	**TRUE COPY OF THE REPRESENTATION DTD. 8-5-06 FILED BY THE PETITIONER.**
EXT.P6	**TRUE COPY OF THE APPLICATION DTD. 1-8-06**
EXT.P7	**TRUE COPY OF THE REPRESENTATION DTD. 17-8-06 SUBMITTED BY THE PETITIONER BEFORE R3**
EXT.P8	**TRUE COPY OF THE REPLY DTD. 16-9-06**
EXT.P9	**TRUE COPY OF THE NOTIFICATION WITH RESPECT TO CHERUVATHUR FARMERS SERVICE CO-OPERATIVE BANK ISSUED BY THE CO-OPERATIVE SERVICE EXAMINATION BOARD.**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 30927 OF 2006

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Dated this the 3rd day of July, 2007

JUDGMENT

Petitioner has approached this court praying for a direction to appoint him as Clerk in the Society and keep one post of Clerk vacant till he is promoted and appointed and to declare his eligibility.

2. I heard learned counsel for the petitioner and the learned counsel for the Bank also.

Petitioner has an alternate remedy under Section 69 of the Co-operative Societies Act. The writ petition is disposed of relegating the petitioner to pursue the matter under Section 69 of the Co-operative Societies Act. The interim order passed by this court shall continue for a period of two weeks and thereafter it is for the petitioner to seek relief under Section 69 of the Act.

(K.M.JOSEPH, JUDGE)

sv.